

By: Munoz, Jr.

H.B. No. 2094

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of roadside vendors and solicitors in certain counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 285.001, Transportation Code, is amended to read as follows:

Sec. 285.001. REGULATION OF ROADSIDE VENDOR AND SOLICITOR.

(a) To promote the public safety, the commissioners court of a county with a population of more than 750,000 [~~1.3 million~~] by order may regulate the following in the unincorporated area of the county if they occur on a public highway or road with a speed limit of 40 miles per hour or faster, in the right-of-way of a public highway or road with a speed limit of 40 miles per hour or faster, or in a public parking lot:

(1) the sale of items by a vendor of food or merchandise, including live animals except as provided by Subsection (b);

(2) the erection, maintenance, or placement of a structure by a vendor of food or merchandise, including live animals; and

(3) the solicitation of money.

(b) An order under Subsection (a) adopted by the commissioners court of a county with a population of less than 3.3 million may not prohibit the sale of livestock.

1 (c) A county regulating vendors under Subsections (a)(1)
2 and (2) may require that a vendor be located not closer to the edge
3 of the public highway or road than a distance that is equal to
4 one-half the width of the right-of-way adjacent to the highway or
5 road.

6 SECTION 2. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2013.